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VOL. 93—NO. 49

The Associated Press, North American Newspaper Alliance, NEA Service and AP Wirephoto

TUESDAY, AUGUST 5, 1969

Judges Cite

Bonding Firm

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Outstanding Debt

Ban Is Imposed

Orleans Parish Criminal Court judges said today they will not accept any more bail bonds written for the Maryland National Insurance Company which currently owes more than \$700,000 in forfeited bail bonds.

The judges, sitting en banc, ordered Edward A. Haggerty, clerk of the Criminal District Court, not to accept the Maryland National Insurance Company or its agents as surety on any bond.

SIGNING THE order were Judges Bernard J. Bagert, Thomas M. Brahney Jr., Frank J. Shea, Rudolph F. Becker Jr., Matthew S. Braniff, Israel M. Augustine and Alvin V. Oser.

Not present at the session were Judges Oliver P. Schulingkamp, who is ill, Malcolm V. O'Hara, who is out of town, and Edward A. Haggerty Jr., who was on vacation.

The judges said they were acting because Maryland National has only \$70,000 on deposit with the state of Louisiana while owing more than \$700,000.

THE \$700,000 accumulated between 1966-69 when the Orleans Parish district attorney's office failed to collect Maryland bail bonds that were forfeited.

Dist. Atty. Jim Garrison has since said he regards the failure to collect the forfeited bail bonds as the only serious error made by his office during his seven-year administration.

The Criminal Court judges acted swiftly this morning to get their views on record prior to a session in federal district court where Maryland National has asked for a temporary restraining order against two Juvenile Court judges who said several days ago they would not accept any more bonds written by Maryland agents.

JUVENILE Court Judges James P. O'Connor and James C. Gulotta touched off the strong move against Maryland. Their action prompted the Criminal Court judges to hold the special ses-

sion.

In federal court, Judge Lansing L. Mitchell dismissed as "premature" Maryland National's action to prevent the action of O'Connor and Gulotta.

JUDGE MITCHELL noted he has received assurances from both juvenile court judges they have not yet turned down any Maryland National bail bonds and would not do so without a solvency hearing to test whether the company would be able to pay if the bond were forfeited.

Mitchell dismissed the case saying, "This may well be a tempest in a teapot created by the judges in making statements to the press."

Arguments presented by attorneys representing Maryland National and attorney Harry Howard, representing the judges, lasted about an hour.

The move by Criminal Court judges could put them in conflict with the federal district court that, since June 23, has enjoined the Orleans

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Parish district attorney from moving to collect any funds from Maryland or prevent Maryland from operating here.

The Criminal Court judges took their action under the "inherent powers" of their courts.

UNDER THE inherent powers doctrine, local courts have wide jurisdiction in determining what constitutes the public interest in matter of criminal justice.

Judge Frank J. Shea, reached for comment on the action of the Criminal Court judges, said:

"This has been brewing for quite some time. I had been thinking of taking some action and, when we got together, found each of us had been considering the same course of action."

JUDGE SHEA said he didn't know if refusing to accept Maryland bonds would work a hardship on defendants. He noted Maryland agents control most of the bail bonding business here.

"However, the situation is such we felt it incumbent on us to take a firm stand in this matter," said Judge Shea. "It simply isn't good business practice for a company to be allowed to go \$700,000 in debt when they have on deposit only \$70,000."